

DECLARATION FOR PATENT APPLICATION AND APPOINTMENT OF ATTORNEY

As a below-named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention (Design, if applicable), entitled : Methods and Materials to Induce Recombination in Plants

the specification of which (check one):

is attached hereto.

- was filed on _____ as Application Serial No. _____ and was amended on _____ (if applicable).
- was filed on _____ as International Application (PCT) No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with *Title 37, Code of Federal Regulations, § 1.56(a)*. I hereby claim foreign priority benefits under *Title 35, United States Code § 119* of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which the priority is claimed.

PRIOR FOREIGN APPLICATION(S)

| NUMBER | COUNTRY | DAY/MONTH/YEAR FILED | PRIORITY CLAIMED |
|--------|---------|----------------------|------------------|
| | | | Yes No |
| | | | Yes No |

I hereby claim the benefit under *Title 35, United States Code, § 120* of any United States application(s) or PCT international application(s) designating The United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of *Title 35, United States Code, § 112*, I acknowledge the duty to disclose material information as defined in *Title 37, Code of Federal Regulations, § 1.56(a)* which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

| APPLICATION NUMBER | FILED DATE | STATUS (Patented, Pending or Abandoned) |
|--------------------|-------------------|---|
| 60/069,057 | December 10, 1997 | Pending |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under *Section 1011 of Title 18 of the United States Code*, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: I (We) hereby appoint as my (our) attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Kristine H. Johnson, Registration Number 36,835, Jennifer Bales 38,070, and Jean Macheledt 33,956..

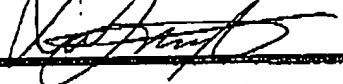
Send correspondence to: KRISTINE H. JOHNSON
THE OPERA GALLERIA, SUITE 219
123 NORTH COLLEGE AVENUE
FORT COLLINS, CO 80524

TELEPHONE CALLS TO: KRISTINE H. JOHNSON
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See following pages for additional joint inventors.

| | |
|---|--|
| Full Name of First or Sole Inventor Thomas A. Peterson | Citizenship USA |
| Residence Address - Street 27947 560th Avenue | Post Office Address Street 27947 560th Avenue |
| City Ames | City |
| State or Country Iowa | State or Country Iowa |
| Zip 50010 | Zip 50010 |
| DATE 9 December 1998 | SIGNATURE <i>Thomas A. Peterson</i> |

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|--|---|---------------------------------|---------------------|
| <i>Full Name of Additional Joint Inventor</i> Yongli Xiao | <i>Citizenship</i> P.R. China | | |
| <i>Residence Address - Street</i> 1256 Hawthorn Court | <i>Post Office Address Street</i> 1256 Hawthorn Court | | |
| <i>City</i> Ames | <i>City</i> | | |
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| <i>Date</i> 12/09/98 | <i>SIGNATURE</i>  | | |

| | | | |
|---|-----------------------------------|-------------------------|------------|
| <i>Full Name of Additional Joint Inventor</i> | <i>Citizenship</i> | | |
| <i>Residence Address - Street</i> | <i>Post Office Address Street</i> | | |
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| <i>State or Country</i> | <i>Zip</i> | <i>State or Country</i> | <i>Zip</i> |
| <i>Date</i> | <i>Signature</i> | | |

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| <i>City</i> | <i>City</i> | | |
| <i>State or Country</i> | <i>Zip</i> | <i>State or Country</i> | <i>Zip</i> |
| <i>Date</i> | <i>Signature</i> | | |

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|---|-----------------------------------|-------------------------|------------|
| <i>Full Name of Additional Joint Inventor</i> | <i>Citizenship</i> | | |
| <i>Residence Address - Street</i> | <i>Post Office Address Street</i> | | |
| <i>City</i> | <i>City</i> | | |
| <i>State or Country</i> | <i>Zip</i> | <i>State or Country</i> | <i>Zip</i> |
| <i>Date</i> | <i>Signature</i> | | |

- SEE FOLLOWING PAGES FOR ADDITIONAL JOINT INVENTORS.

Applicant or Patentee: Thomas A. Peterson and Yongli Xiao
Serial No. or Patent No:
Filed or Issued: October 25, 2000
For: METHODS AND MATERIALS TO INDUCE RECOMBINATION IN PLANTS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
37 CFR 1.9(f) AND 1.27(d) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Iowa State University Research Foundation, Inc.

ADDRESS OF ORGANIZATION 310 Lab of Mechanics

Ames, Iowa 50011-2131

TYPE OF ORGANIZATION

[] UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

[] TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))

[X] NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE

UNITED STATES OF AMERICA

(NAME OF STATE Iowa)

(CITATION OF STATUTE Chapter 504A, Code of Iowa)

[] WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE
(26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA

[] WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE
OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA

(NAME OF STATE)

(CITATION OF STATUTE)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled METHODS AND MATERIALS TO INDUCE RECOMBINATION IN PLANTS by inventor(s) Thomas A. Peterson and Yongli Xiao as described in

[X] the specification filed herewith.

[] application serial no. , filed .

[] patent no. , issued .

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME

ADDRESS

[] INDIVIDUAL

[] SMALL BUSINESS CONCERN

[] NONPROFIT ORGANIZATION

FULL NAME

ADDRESS

[] INDIVIDUAL

[] SMALL BUSINESS CONCERN

[] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of payment, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Dr. Kenneth Kirkland

TITLE IN ORGANIZATION Executive Director, Iowa State University Research Foundation, Inc.

ADDRESS OF PERSON SIGNING 310 Lab of Mechanics, Ames, Iowa 50011-2131

SIGNATURE K. Kirkland

DATE October 25, 2000